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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/528,274	03/17/2005	Koichi Iida	052264	2957
38834 7590 02/20/2009 WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP 1250 CONNECTICUT AVENUE, NW SUITE 700 WASHINGTON, DC 20036				
EXAMINER THEIN, MARIA TERESA T				
ART UNIT 3627		PAPER NUMBER		
MAIL DATE 02/20/2009		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/528,274

Applicant(s)

IIDA ET AL.

Examiner

MARISSA THEIN

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 is/are pending in the application.
- 4a) Of the above claim(s) 2 and 3 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date 3-17-05: 11-14-05
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Inventor's Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

Claims 2-3 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected Group, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on November 14, 2008

Applicant's election with traverse of Group I, claim 1 in the reply filed on November 14, 2008 is acknowledged.

Information Disclosure Statement

The information disclosure statements filed March 17, 2005 and November 14, 2005 fail to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

Drawings

The drawings filed on March 17, 2005 have been considered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,963,919 to Brinkley et al in view of U.S. Patent Application Publication No. 2003/0130876 to Chen et al.

Brinkley discloses a system for computing an order quantity of parts, comprising: an order quantity computing means (economic order quantity calculated based on ordering an to minimize total inventory management expenditure, col. 5, lines 9-15); a tentative inventory quantity computing means (col. 10, lines 5-11); a price inputting means for inputting a price of the parts (order cost...user-specified input parameters, col. 9, lines 1-9); part pricing storing means for storing the inputted price of parts (col. 3, lines 36-52; col. 7, lines 62-col. 8, line 5); prescribed price inputting means for inputting a prescribed price to be compared with the inputted price of the parts (cutoff value, col. 9, lines 1-9); prescribed price storing means for storing he inputted prescribed price (col. 3, lines 36-52; col. 7, lines 62-col. 8, line 5); selecting means for comparing the inputted price with the stored prescribed price and for selecting the first part order quantity computing means when the inputted price is greater than the stored prescribed price, while for selecting the second part order quantity computing means when the inputted price is equal or to less than the store prescribed price (col. 10, lines 12-25; col. 11, lines 47-65; col. 12, line 37-43).

However, Brinkley does not explicitly disclose a required part quantity computing means; an actual inventory quantity checking means; a first part order quantity computing means; and a second part order quantity computing means. Brinkley does disclose a system of analyzing the inventory portfolio on an item-by-item basis to assign

the most suitable strategy for that time (abstract). Brinkley discloses an inventory management system comprising accessing means, analyzing means and selecting means (col. 2, lines 41-43). Miser program stratifies the portfolio based on the number of orders (col. 9, lines 1-3). The average order cost of inventory item is the total dollar sales of the total period surveyed divided by the total number of orders for the item during that period (col. 10, lines 16-18). The Miser program also determines if the item is forecastable by whether there is sufficient amount of historical data and analyzes the coefficient of variation among the historical data to determine the level of fluctuation among the available data (col. 9, lines 63-67)

Chen, on the other hand, teaches a required part quantity computing means; an actual inventory quantity checking means; a first part order quantity computing means; and a second part order quantity computing means (paragraph 20; paragraphs 31-32).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the system of Brinkley, to include a required part quantity computing means; an actual inventory quantity checking means; a first part order quantity computing means; and a second part order quantity computing means, as taught by Chen, in order to satisfy required product quantities to clients or end users (paragraph 4), and increase profit margins and managing costs (paragraph 4).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 6,266,655 to Kaylan discloses a method of valuing resources of an asset inventive manufacturer.

U.S. Patent No. 7,363,253 to Forbis discloses a method for determining retroactive price adjustments.

U.S. Patent Application Publication No. 2002/0072986 to Aram discloses a system for the acquisition, supply and management of goods and/or parts for goods.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARISSA THEIN whose telephone number is (571)272-6764. The examiner can normally be reached on M-F 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ryan Zeender can be reached on 571-272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. T./
Examiner, Art Unit 3627
February 17, 2009

/F. Ryan Zeender/
Supervisory Patent Examiner, Art Unit 3627